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LEONARDO M. RAPADAS  
United States Attorney  
MARIVIC P. DAVID  
Assistant U.S. Attorney  
Sirena Plaza, Suite 500  
108 Hernan Cortez Avenue  
Hagåtña, Guam 96910-1059  
TEL: (671) 472-7332  
FAX: (671) 472-7215

**FILED**  
DISTRICT COURT OF GUAM

JAN 31 2007

MARY L.M. MORAN  
CLERK OF COURT

Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF GUAM

UNITED STATES OF AMERICA,	)	CRIMINAL CASE NO. 97-00039
	)	
Plaintiff,	)	
	)	
vs.	)	PETITION TO REMIT FINE
	)	[18 U.S.C. § 3573]
PEDRO MEREP,	)	
	)	
Defendant.	)	

COMES NOW the United States of America, by and through its undersigned counsel, and respectfully petitions this Court pursuant to 18 U.S.C. § 3573 for the entry of an order remitting the unpaid fine earlier imposed upon Defendant PEDRO MEREP and in support hereof, states as follows:

1. On May 20, 1998, sentence was imposed by this Court against Defendant PEDRO MEREP. Among other things, a \$15,000.00 Fine was ordered. Interest accrues at the legal rate of 5.434 percent. The total amount owed by said Defendant is \$20,742.75 which includes interest as of 3/13/2006.

2. Upon information received from the Immigration and Customs Enforcement Deportable Alien Control System (ICE/DACS), the defendant, PEDRO MEREP, was deported to Palau on June 29, 2006. See Exhibit "A."

3 No valid address is available for defendant.

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1           4.       Upon information furnished by the U.S. Probation Office in the Presentence  
2 Investigation Report, Defendant PEDRO MEREP, does not have the ability to pay a fine.

3           5.       Section 3573 of Title 18, United States Code, as amended, provides in pertinent  
4 part as follows:

5                       Upon petition by the Government showing that reasonable efforts to  
6 collect a fine or assessment are not likely to be effective, the court may, in the  
interest of justice --

7                       (1) remit all or part of the unpaid portion of the fine or special assessment,  
including interest and penalties . . . .

8           6.       The United States Attorney has determined that in light of Defendant's deportation  
9 and inability to pay, there is no reasonable likelihood that expending further efforts to collect the  
10 fine will produce any revenue to the United States. To the contrary, any further efforts will  
11 needlessly expend resources that could be better directed to areas with greater potential for  
12 recovery.

13           76.     The interests of justice mitigate in favor of remission of the unpaid fine.

14           WHEREFORE, the United States of America respectfully requests that this Court enter  
15 an order remitting the unpaid fine imposed upon Defendant.

16           DATED this 31st day of January, 2007.

17                                       LEONARDO M. RAPADAS  
18                                       United States Attorney  
19                                       Districts of Guam and NMI

20                       By:

21                                       MARIVIC P. DAVID  
22                                       Assistant U.S. Attorney  
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DAXLO21

DACS CASE CLOSURE LOOK SCREEN

DATE: 08/08/2006  
TIME: 00:58:36

A-NUM : 090005242  
NATLTY: PALAU

LAST-NAME : MEREP  
FIRST-NAME: PEDRO

DATE-DOCKET-CLEARED: 07/10/2006

DEPART-CLEARED-STAT: 8

TRANSFER-TO-DCO:

DATE-DOCKET-TRANSFER:

DATE-DEPARTED: 06/29/2006

PORT-DEPARTED: NEW

DEPART-COUNTRY: PALAU

FINAL-CHARGE: I2C

EXPENSE-CODE: 1

HIT PF4 TO RETURN TO CASE SELECT SCREEN OR ENTER FOR NEXT SCREEN

